



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

ATTY.'S DOCKET: FUKUNAGA=3

In re Application of:

Akira FUKUNAGA et al.

Appln. No.: 09/811,581

Filed: March 20, 2001

For: COMPOSITE METALLIC ULTRAFINE  
PARTICLES AND PROCESS FOR  
PRODUCING THE SAME

Conf. No.: 2108

Art Unit: 1725

Examiner: L. R. EDMONDSON

Washington, D.C.

November 17, 2003

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Honorable Commissioner for Patents  
U.S. Patent and Trademark Office  
2011 South Clark Place  
Customer Window, Mail Stop AF  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, VA 22202

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the final rejection (or the rejection of claims for at least the second time), dated October 29, 2003, of the Primary Examiner. The claim appealed is claim 60.

The item(s) checked below are appropriate:

☐ Small Entity Status: Applicant(s) claim small entity status. See 37 CFR 1.27.

XXX The fee has been calculated as shown below:

XXX \$330.00

☐ \$165.00 (small entity)

☐ Not required (fee paid in prior appeal)

XXX Applicant hereby petitions for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity  
Response Filed Within

☐ First - \$ 55.00

☐ Second - \$210.00

☐ Third - \$475.00

☐ Fourth - \$740.00

month after time period set

Other Than Small Entity  
Response Filed Within

☐ First - \$ 110.00

☒ Second - \$ 420.00

☐ Third - \$ 950.00

☐ Fourth - \$1480.00

month after time period set

☐ Less fees (\$ \_\_\_\_\_) already paid for \_\_ months extension of time on \_\_\_\_.

☐ A check in the amount of \$ \_\_\_\_\_ is attached. (Check No. \_\_\_\_\_)

XXX Credit Card Payment Form, PTO-2038, is attached, authorizing the amount of \$ 750.00.

XXX Please charge any deficit in the fee paid herewith to my Deposit Account No. 02-4035.

11/18/2003 HSEBREM1 00000113 09811581

01 FC:1252  
02 FC:1401

420.00 DP  
330.00 DP

Respectfully submitted,  
BROWDY AND NEIMARK, P.L.L.C.  
Attorneys for Applicant(s)

By:

A handwritten signature in black ink, appearing to read "Anne M. Kornbau", is written over a horizontal line.

Anne M. Kornbau  
Registration No. 25,884

Telephone No.: (202) 628-5197  
Facsimile No.: (202) 737-3528